

Executive Summary – Enforcement Matter – Case No. 62313
Mary Stewart dba Shiloh RV Park
RN103939666
Docket No. 2022-0540-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three repeated enforcement actions (or two orders with nuisance violations) over the prior five year period for the same violation(s).

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Shiloh RV Park, 5539 Farm-to-Market Road 762 near Richmond, Fort Bend County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: March 1, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$5,250

Total Paid to General Revenue: \$5,250

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Unclassified

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: March 31, 2022

Date(s) of NOE(s): April 29, 2022

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Mary Stewart dba Shiloh RV Park
RN103939666
Docket No. 2022-0540-PWS-E

Violation Information

1. Failed to notify the Executive Director prior to making any significant change or addition where the change in the existing distribution system results in an increase or decrease in production, treatment, storage, or pressure maintenance capacity [30 TEX. ADMIN. CODE § 290.39(j)(1)(A) and TEX. HEALTH & SAFETY CODE § 341.0351].
2. Failed to provide a minimum well capacity of 0.6 gallons per minute ("gpm") per unit [30 TEX. ADMIN. CODE § 290.45(c)(1)(B)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
3. Failed to provide a ground storage capacity of 35 gallons per unit [30 TEX. ADMIN. CODE § 290.45(c)(1)(B)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
4. Failed to provide two or more service pumps which have a total capacity of 1.0 gpm per unit [30 TEX. ADMIN. CODE § 290.45(c)(1)(B)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
5. Failed to provide a pressure tank capacity of ten gallons per unit [30 TEX. ADMIN. CODE § 290.45(c)(1)(B)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Within 180 days:
 - i. Submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including but not limited to the use of polyphosphate;
 - ii. Provide a well capacity of at least 0.6 gpm per unit;
 - iii. Provide a ground storage capacity of at least 35 gallons per unit;
 - iv. Provide two or more service pumps which have a total capacity of at least 1.0 gpm per unit; and
 - v. Provide a pressure tank capacity of at least ten gallons per unit.
- b. Within 195 days, submit written certification to demonstrate compliance with a.

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RN103939666
Docket No. 2022-0540-PWS-E

- c. Within 270 days, obtain approval of the as-built plans and specifications for the significant changes made to the Facility from the Executive Director.
- d. Within 285 days, submit written certification to demonstrate compliance with c.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Samantha Salas, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-1543; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Mary Stewart, Owner, Shiloh RV Park, 43 Bendwood Drive, Sugar Land, Texas 77478

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	2-May-2022	Screening	5-May-2022	EPA Due	
	PCW	6-May-2022				

RESPONDENT/FACILITY INFORMATION	
Respondent	Mary Stewart dba Shiloh RV Park
Reg. Ent. Ref. No.	RN103939666
Facility/Site Region	12-Houston
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	62313	No. of Violations	5
Docket No.	2022-0540-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Samantha Salas
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$5,250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	0.0%	Adjustment	Subtotals 2, 3, & 7	\$0
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Notes: No adjustment for Compliance History.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$8,897
Estimated Cost of Compliance	\$30,500

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$5,250
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$5,250
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$5,250
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$5,250
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Screening Date 5-May-2022

Docket No. 2022-0540-PWS-E

PCW

Respondent Mary Stewart dba Shiloh RV Park

Policy Revision 5 (January 28, 2021)

Case ID No. 62313

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN103939666

Media Public Water Supply

Enf. Coordinator Samantha Salas

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for Compliance History.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date 5-May-2022 **Docket No.** 2022-0540-PWS-E **PCW**
Respondent Mary Stewart dba Shiloh RV Park *Policy Revision 5 (January 28, 2021)*
Case ID No. 62313 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN103939666
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.39(j)(1)(A) and Tex. Health & Safety Code § 341.0351

Violation Description
 Failed to notify the Executive Director prior to making any significant change or addition where the change in the existing distribution system results in an increase or decrease in production, treatment, storage, or pressure maintenance capacity. Specifically, polyphosphate was being used without approval.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
		x			10.0%

Matrix Notes
 100% of the rule requirements were not met.

Adjustment \$4,500

\$500

Violation Events

Number of Violation Events 1 35 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$500

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes
 The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$163

Violation Final Penalty Total \$500

This violation Final Assessed Penalty (adjusted for limits) \$500

Economic Benefit Worksheet

Respondent Mary Stewart dba Shiloh RV Park
Case ID No. 62313
Reg. Ent. Reference No. RN103939666
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	27-Feb-2020	21-Oct-2024	4.65	\$8	\$155	\$163
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to notify the Executive Director of the Facility's changes, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$500

TOTAL \$163

Screening Date 5-May-2022 **Docket No.** 2022-0540-PWS-E **PCW**
Respondent Mary Stewart dba Shiloh RV Park *Policy Revision 5 (January 28, 2021)*
Case ID No. 62313 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN103939666
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number

Rule Cite(s) 30 Tex. Admin. Code § 290.45(c)(1)(B)(i) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to provide a minimum well capacity of 0.6 gallons per minute ("gpm") per unit. Specifically, the Facility had 111 accommodation units, requiring a minimum well capacity of 66.6 gpm. However, only 34 gpm were provided, indicating a 49% deficiency.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="5.0%"/>
Potential	<input type="text"/>	x	<input type="text"/>		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0.0%"/>

Matrix Notes Failure to provide adequate well capacity could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels that are protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	x
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

One quarterly event is recommended, calculated from the March 31, 2022 record review date to the May 5, 2022 screening date.

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	x	<input type="text"/>

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Mary Stewart dba Shiloh RV Park
Case ID No. 62313
Reg. Ent. Reference No. RN103939666
Media Violation No. Public Water Supply
 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	27-Feb-2020	24-Apr-2024	4.16	\$69	\$1,386	\$1,455
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a well capacity of at least 0.6 gpm per unit, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$1,455

Screening Date 5-May-2022 **Docket No.** 2022-0540-PWS-E **PCW**
Respondent Mary Stewart dba Shiloh RV Park *Policy Revision 5 (January 28, 2021)*
Case ID No. 62313 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN103939666
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 290.45(c)(1)(B)(ii) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to provide a ground storage capacity of 35 gallons per unit. Specifically, the Facility had 111 accommodation units, requiring a minimum ground storage capacity of 3,885 gallons. However, none was provided, indicating a 100% deficiency.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR			Harm			
	Release	Major	Moderate	Minor		
	Actual					
	Potential	x			Percent	15.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent	0.0%

Matrix Notes Failure to provide adequate ground storage could result in persons served by the Facility being exposed to contaminants which would exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 2 35 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$1,500

Two monthly events are recommended, calculated from the March 31, 2022 record review date to the May 5, 2022 screening date.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,500

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$2,912 **Violation Final Penalty Total** \$1,500

This violation Final Assessed Penalty (adjusted for limits) \$1,500

Economic Benefit Worksheet

Respondent Mary Stewart dba Shiloh RV Park
Case ID No. 62313
Reg. Ent. Reference No. RN103939666
Media Violation No. Public Water Supply
 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$10,000	27-Feb-2020	24-Apr-2024	4.16	\$139	\$2,773	\$2,912
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs
 The delayed cost includes the estimated amount to provide a ground storage capacity of at least 35 gallons per unit, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$10,000	TOTAL	\$2,912
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Screening Date 5-May-2022 **Docket No.** 2022-0540-PWS-E **PCW**
Respondent Mary Stewart dba Shiloh RV Park *Policy Revision 5 (January 28, 2021)*
Case ID No. 62313 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN103939666
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number

Rule Cite(s) 30 Tex. Admin. Code § 290.45(c)(1)(B)(iii) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to provide two or more service pumps which have a total capacity of 1.0 gpm per unit. Specifically, the Facility had 111 accommodation units, requiring a total service pump capacity of 111 gpm. However, none was provided, indicating a 100% deficiency.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="15.0%"/>
Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0.0%"/>

Matrix Notes Failure to provide the minimum service pump capacity could expose persons served by the Facility to contaminants that would exceed levels that are protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text" value="x"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Two monthly events are recommended, calculated from the March 31, 2022 record review date to the May 5, 2022 screening date.

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	<input type="text"/>

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Mary Stewart dba Shiloh RV Park
Case ID No. 62313
Reg. Ent. Reference No. RN103939666
Media Violation No. Public Water Supply
 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	27-Feb-2020	24-Apr-2024	4.16	\$69	\$1,386	\$1,455
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide two or more service pumps with a total service pump capacity of at least 1.0 gpm per unit, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$1,455

Screening Date 5-May-2022 **Docket No.** 2022-0540-PWS-E **PCW**
Respondent Mary Stewart dba Shiloh RV Park *Policy Revision 5 (January 28, 2021)*
Case ID No. 62313 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN103939666
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code § 290.45(c)(1)(B)(iv) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to provide a pressure tank capacity of ten gallons per unit. Specifically, the Facility was serving 111 accommodation units, requiring a minimum pressure tank capacity of 1,110 gallons. However, only 525 gallons were provided, indicating a 53% deficiency.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Harm			Percent 15.0%	
	Release	Major	Moderate		Minor
	Actual				
	Potential	x			

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent 0.0%

Matrix Notes Failure to provide the adequate pressure tank capacity could expose persons served by the Facility to contaminants that would exceed levels that are protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 2 35 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$1,500

Two monthly events are recommended, calculated from the March 31, 2022 record review date to the May 5, 2022 screening date.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,500

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$2,912 **Violation Final Penalty Total** \$1,500

This violation Final Assessed Penalty (adjusted for limits) \$1,500

Economic Benefit Worksheet

Respondent Mary Stewart dba Shiloh RV Park
Case ID No. 62313
Reg. Ent. Reference No. RN103939666
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$10,000	27-Feb-2020	24-Apr-2024	4.16	\$139	\$2,773	\$2,912
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a pressure tank capacity of at least ten gallons per unit, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$10,000

TOTAL \$2,912



Compliance History Report

Compliance History Report for CN602446221, RN103939666, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN602446221, STEWART, MARY

Classification: UNCLASSIFIED

Rating: -----

Regulated Entity: RN103939666, SHILOH RV PARK

Classification: NOT APPLICABLE

Rating: N/A

Complexity Points: N/A

Repeat Violator: N/A

CH Group: 14 - Other

Location: 5539 FARM-TO-MARKET ROAD 762 NEAR RICHMOND, FORT BEND COUNTY, TEXAS

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0790432

Compliance History Period: September 01, 2018 to August 31, 2023

Rating Year: 2023

Rating Date: 09/01/2023

Date Compliance History Report Prepared: November 09, 2023

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 09, 2018 to November 09, 2023

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Samantha Salas

Phone: (512) 239-1543

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five-year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1 September 26, 2023 (1929818)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 11/9/2018 and 11/9/2023

1	Date:	11/04/2019	(1597786)		
	Self Report?	NO		Classification:	Minor
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(ii)		
	Description:		Failure to provide a minimum ground storage capacity of 35 gallons per unit.		
	Self Report?	NO		Classification:	Minor
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iii)		
	Description:		Failure to provide a minimum of two or more service pumps with a capacity of 1.0 gallons per minute per unit.		
	Self Report?	NO		Classification:	Minor
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iv)		
	Description:		Failure to provide a minimum pressure tank capacity of 10 gallons per unit with a minimum of 220 gallons.		
2	Date:	06/11/2020	(1632876)		
	Self Report?	NO		Classification:	Minor
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter D 290.46(m)		
	Description:		Failure to maintain the air release of the well in good condition and equipped with mesh in good condition to prevent the entry of contaminants.		
	Self Report?	NO		Classification:	Moderate
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)		
	Description:		Failure to protect the well units by intruder-resistant fences, the gates of which are provided with locks or shall be enclosed in locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers.		
	Self Report?	NO		Classification:	Minor
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter F 290.110(d)(1)		
	Description:		Failure to maintain current reagents for chlorine kit.		
	Self Report?	NO		Classification:	Moderate
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)		
	Description:		Failure to conduct an external pressure tank inspection annually.		
	Self Report?	NO		Classification:	Moderate
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter F 290.110(e)(4)(B)		
	Description:		Failure maintain Disinfectant Level Quarterly Operating Report (DLQOR) reports.		
	Self Report?	NO		Classification:	Moderate
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)		
	Description:		Failure to monitor and record the chlorine residual in distribution at the required frequency.		
	Self Report?	NO		Classification:	Moderate
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter D 290.46(s)(1)		
	Description:		Failure by the regulated entity to calibrate the well meter(s) required by 30 TAC 290.41(c)(3)(N) according to the manufacturer's specifications at least once every three years.		
	Self Report?	NO		Classification:	Moderate
	Citation:				
	Description:		30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(i)		
	Description:		Failure to provide a well capacity of 0.6 gallons per minute per connection.		
	Self Report?	NO		Classification:	Moderate
	Citation:				

Description: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)
 Failure to maintain records of weekly chemical usage.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter F 290.121(a)
 Failure to develop and maintain an up-to-date chemical and microbiological monitoring plan.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)
 Failure to prepare and maintain a map of the distribution system so that valves and mains may be easily located during emergencies.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter D 290.42(l)
 Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter D 290.39(j)(1)(A)
 Failure to submit plans and specifications to the executive director for proposed changes to existing system treatment.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(ii)
 Failure to provide a minimum ground storage capacity of 35 gallons per unit.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iii)
 Failure to provide a minimum of two or more service pumps with a capacity of 1.0 gallon per minute per unit.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iv)
 Failure to provide a minimum pressure tank capacity of 10 gallons per unit.

3 Date: 11/12/2020 (1659026)
 Self Report? NO Classification: Minor
 Citation:

Description: 30 TAC Chapter 290, SubChapter D 290.46(m)
 Failure to maintain the air release of the well in good condition and equipped with mesh in good condition to prevent the entry of contaminants.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)
 Failure to protect the well units by intruder-resistant fences, the gates of which are provided with locks or shall be enclosed in locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)
 Failure to conduct an external pressure tank inspection annually.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(B)
 Failure maintain Disinfectant Level Quarterly Operating Report (DLQOR) reports.
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
 Failure to monitor and record the chlorine residual in distribution at the required frequency.

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(1)		
Description:	Failure by the regulated entity to calibrate the well meter(s) required by 30 TAC 290.41(c)(3)(N) according to the manufacturer's specifications at least once every three years.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(i)		
Description:	Failure to provide a well capacity of 0.6 gallons per minute per connection.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)		
Description:	Failure to maintain records of weekly chemical usage.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)		
Description:	Failure to develop and maintain an up-to-date chemical and microbiological monitoring plan.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(2)		
Description:	Failure to prepare and maintain a map of the distribution system so that valves and mains may be easily located during emergencies.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.42(l)		
Description:	Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.39(j)(1)(A)		
Description:	Failure to submit plans and specifications to the executive director for proposed changes to existing system treatment.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(ii)		
Description:	Failure to provide a minimum ground storage capacity of 35 gallons per unit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iii)		
Description:	Failure to provide a minimum of two or more service pumps with a capacity of 1.0 gallon per minute per unit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iv)		
Description:	Failure to provide a minimum pressure tank capacity of 10 gallons per unit.		

* NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

Appendix B

All Investigations Conducted During Component Period November 09, 2018 and November 09, 2023

Item 1	November 04, 2019**	(1597786)
Item 2	April 28, 2020**	(1605531)
Item 3	June 11, 2020**	(1632876)
Item 4	November 06, 2020**	(1659026)
Item 5	April 29, 2022**	(1803741)
Item 6*	September 26, 2023	(1929818)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

For
Informational
Purposes
Only

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
MARY STEWART DBA SHILOH RV
PARK
RN103939666

§
§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2022-0540-PWS-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Mary Stewart dba Shiloh RV Park (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

The Respondent understands that she has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 5539 Farm-to-Market Road 762 near Richmond, Fort Bend County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 111 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(71).
2. During a record review for the Facility conducted on March 31, 2022, an investigator documented that:
 - a. Polyphosphate was being used without approval.
 - b. The Facility had 111 accommodation units, requiring a minimum well capacity of 66.6 gallons per minute ("gpm"). However, only 34 gpm were provided, indicating a 49% deficiency.

- c. The Facility had 111 accommodation units, requiring a minimum ground storage capacity of 3,885 gallons. However, none was provided, indicating a 100% deficiency.
- d. The Facility had 111 accommodation units, requiring a total service pump capacity of 111 gpm. However, none was provided, indicating a 100% deficiency.
- e. The Facility was serving 111 accommodation units, requiring a minimum pressure tank capacity of 1,110 gallons. However, only 525 gallons were provided, indicating a 53% deficiency.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to notify the Executive Director prior to making any significant change or addition where the change in the existing distribution system results in an increase or decrease in production, treatment, storage, or pressure maintenance capacity, in violation of 30 TEX. ADMIN. CODE § 290.39(j)(1)(A) and TEX. HEALTH & SAFETY CODE § 341.0351.
3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to provide a minimum well capacity of 0.6 gpm per unit, in violation of 30 TEX. ADMIN. CODE § 290.45(c)(1)(B)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to provide a ground storage capacity of 35 gallons per unit, in violation of 30 TEX. ADMIN. CODE § 290.45(c)(1)(B)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to provide two or more service pumps which have a total capacity of 1.0 gpm per unit, in violation of 30 TEX. ADMIN. CODE § 290.45(c)(1)(B)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
6. As evidenced by Finding of Fact No. 2.e, the Respondent failed to provide a pressure tank capacity of ten gallons per unit, in violation of 30 TEX. ADMIN. CODE § 290.45(c)(1)(B)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
7. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
8. An administrative penalty in the amount of \$5,250 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent paid the \$5,250 penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 8 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Mary Stewart dba Shiloh RV Park, Docket No. 2022-0540-PWS-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:

- a. Within 180 days after the effective date of this Order:

- i. Submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including but not limited to the use of polyphosphate, in accordance with 30 TEX. ADMIN. CODE § 290.39. The plans, specifications, and reports shall be submitted to:

Plan Review Team
Water Supply Division, MC 159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning plans and specifications within 15 days after the date of such requests, or by any other deadline specified in writing.

- ii. Provide a well capacity of at least 0.6 gpm per unit, in accordance with 30 TEX. ADMIN. CODE § 290.45;
- iii. Provide a ground storage capacity of at least 35 gallons per unit, in accordance with 30 TEX. ADMIN. CODE § 290.45;
- iv. Provide two or more service pumps which have a total capacity of at least 1.0 gpm per unit, in accordance with 30 TEX. ADMIN. CODE § 290.45; and

- v. Provide a pressure tank capacity of at least ten gallons per unit, in accordance with 30 TEX. ADMIN. CODE § 290.45.
- b. Within 195 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.d below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i through 2.a.v.
- c. Within 270 days after the effective date of this Order, obtain approval of the as-built plans and specifications for the significant changes made to the Facility from the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.39.
- d. Within 285 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Street, Suite H
Houston, Texas 77023-1452

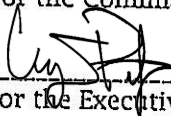
- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
7. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
8. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



Date

3/22/2024

For the Executive Director

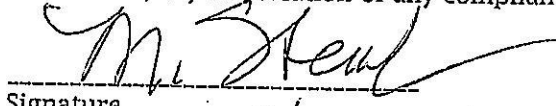
Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

1-30-24

Date

Mary Stewart

Name (Printed or typed)

owner

Title

Authorized Representative of
Mary Stewart dba Shiloh RV Park

If mailing address has changed, please check this box and provide the new address below:

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.